

MEMORANDUM
COUNTY OF LOUDOUN

DATE: January 8, 2010
TO: Department and Agency Heads
FROM: Tim Hemstreet, County Administrator
SUBJECT: Action Report of the January 5, 2010 Board of Supervisors' Business Meeting

Listed below is a summary report of the Board's action taken at its January 5, 2010 Business Meeting. On items requiring follow up, the staff person responsible is noted. Please work with your staff to follow through on the Board action as noted.

III. Organizational Matters

A. ADOPTION OF THE RULES OF ORDER FOR 2010

Chairman York moved that the Board of Supervisors adopt the Rules of Order for 2010, as proposed by the Chairman, as amended, shown in Attachment I. (Seconded by Supervisor McGimsey.)

Chairman York accepted Supervisor Burk's friendly amendment that the Board of Supervisors move Board Comment/Disclosure from the Public Input/General Business Meeting Agenda to the Board Business Meeting Agenda. (Seconded by Supervisor Kurtz. The motion passed 6-3, Supervisors Waters, McGimsey and Miller voted no.)

Chairman York's motion, as amended, passed 9-0.

The Board concurred to Chairman York's recommendation changing Public Input to 7:00 P.M. instead of 7:30 P.M.

B. ELECTION OF THE VICE-CHAIRMAN

Supervisor Kurtz nominated Supervisor Buckley to serve as Vice-Chairman for 2010. (Seconded by Supervisor McGimsey. The motion passed 9-0.)

Supervisor Kurtz moved that nominations be closed. (Seconded by Supervisor McGimsey. The motion passed 9-0.)

Chairman York moved that the Board of Supervisors confirm Supervisor Buckley to serve as Vice-Chairman for 2010 as nominated by Supervisor Kurtz. (Seconded by Supervisor Burk. The motion passed 7-0-2, Supervisors McGimsey and Miller abstained.)

C. STANDING COMMITTEE ASSIGNMENTS

1. Finance/Government Services & Operations Committee

Jim Burton, Chair
Susan Buckley
Stevens Miller
Lori Waters
Scott York

2. Transportation & Land Use Committee

Kelly Burk, Chair
Eugene Delgaudio
Sally Kurtz
Andrea McGimsey
Scott York

3. Joint Board & School Board Committee

BOS Members

Sally Kurtz, Chair
Susan Buckley
Jim Burton

EDC Representative:

John Wood

School Board Members

Tom Reed, Vice Chair
Jennifer Bergel
Warren Guerin

Note: School Board appointments are made by the School Board. School Board members listed represent the 2009 appointments.

Supervisor Burk moved that the Board of Supervisors approve the following Standing Committee Assignments for 2010 as outlined above. (Seconded by Supervisor Waters.)

Supervisor Miller moved a friendly amendment that the Board of Supervisors request that the EDC select a representative to serve in the EDC position for the Joint Board and School Board Committee. (Seconded by Supervisor McGimsey. The motion FAILED 2-7, Supervisors Buckley, Burk, Burton, Delgaudio, Kurtz, Waters, and York voted no; Supervisors McGimsey and Miller voted yes.)

Supervisor Burk's original motion passed 8-1, Supervisor Miller voted no.

D. APPOINTMENTS TO REGIONAL AND COUNTY COMMITTEES AND COMMISSIONS

REGIONAL APPOINTMENTS:

- Metropolitan Council of Government (COG) Board of Directors
Board Member representative – Andrea McGimsey
Or Board Alternate
- Climate Energy and Environment Policy Committee
Board Member representative – Andrea McGimsey
Or Board Alternate
- Metropolitan Development Policy Committee
Board Member representative – Scott York
Or Staff Alternate
- Human Services and Public Safety Committee
Board Member representative – Susan Buckley
Or Staff Alternate
- Metropolitan Washington Air Quality Committee (MWAQC)
Board Member representative – Scott York
Or Board Alternate
- National Capital Region Transportation Planning Board
Board Member representative – Lori Waters
Or Board Alternate
- Chesapeake Bay and Water Resources Policy Committee
Board Member representative – Scott York
Or Staff Alternate
- 8. Birmingham Green (Formerly Northern Virginia Health Care Center
Commission and District Home Board)
County staff representative: Bob Chirles
Alternate: Dinah Ditton
- 9. Northern Virginia Manpower Consortium Workforce Investment
Board
Board Member representative – Scott York

10. Northern Virginia Regional Commission
Two Board Member representatives – Scott York
11. Potomac Watershed Roundtable
Board Member Representative – Sally Kurtz
12. Dulles Area Transportation Association (DATA)
Board Member representatives: Eugene Delgaudio
Andrea McGimsey
13. Virginia Regional Transportation Association (VRTA) (formerly Loudoun County Transportation Association)
County Staff representative – Bob Chirles (**County Staff representative is no longer needed by the VRTA Board. This appointment will be canceled at the next meeting.**)
14. Northern Virginia Transportation Authority (NVTa)
Board Member representative - Scott York
15. Northern Virginia Transportation Commission (NVTC)
Board Member representative – Kelly Burk
16. Route 28 Transportation Improvement District Commission
Four Board Member representatives – Scott York
Andrea McGimsey
Stevens Miller
Lori Waters

LOUDOUN COUNTY APPOINTMENTS:

1. Affordable Dwelling Unit Advisory Board
Board Member representative or designee – Andrea McGimsey
2. Agricultural District Advisory Committee
Board Member representative – Sally Kurtz
3. Annexation Area Development Policy Committee (AADPC)
Two Board Member representatives – Sally Kurtz
Kelly Burk
4. Community Action Agency Advisory Board
Board Member representatives – Scott York
Kelly Burk
Sally Kurtz

5. Coalition of Loudoun Towns (COLT)
Non Voting Board Member representative – Jim Burton
6. Disability Services Board
Board Member representative – Kelly Burk
7. Family Services Board
Board Member (ex-officio member) – Susan Buckley
8. Fiscal Impact Committee
Board Member (ex-officio member) – Jim Burton
9. Other Post-employment Benefits (OPEB) Investment Committee
Board Member representative – Jim Burton
10. Purcellville Urban Growth Area Policy Review Committee
One Board Member representative – Jim Burton
One Planning Commission Member – Peggy Maio
11. Transit Plan Advisory Committee
Board Member representative – Andrea McGimsey
12. Western Schools Task Force
Two Board Member representatives: Jim Burton
Sally Kurtz

Chairman York moved confirmation of the Regional and County Appointments for 2010, as amended. (Seconded by {inaudible}. The motion passed 9-0.)

E. SCHEDULE ADJUSTMENTS FOR 2010

Table 1

Board Meeting Date	Conflict	New Meeting Dates
January 18, 2010 Public Input & General Business Meeting at 6:00 p.m.	Martin Luther King, Jr. Holiday	Public Input & General Business Meeting changed to Tuesday, January 19, 2010 6:00 P.M.
January 19, 2010 Business Meeting	Martin Luther King, Jr. Holiday	Board Business Meeting changed to Wednesday, January 20, 2010 at 9:00 A.M. (The Board shifted all meetings by one day due to holiday.)

February 15, 2010 Public Input & General Business Meeting at 6:00 p.m.	President's Day Holiday	Public Input & General Business Meeting changed to Tuesday, February 16, 2010 at 6:00 P.M.
February 16, 2010 Business Meeting	President's Day Holiday	Board Business Meeting changed to Wednesday, February 17, 2010 at 9:00 A.M. (The Board shifted all meetings by one day due to holiday.)
July 5, 2010 Public Input & General Business Meeting at 6:00 p.m.	Independence Day	Public Input & General Business Meeting changed to Tuesday, July 6, 2010 at 6:00 P.M.
July 6, 2010 Business Meeting	Independence Day	Board Business Meeting changed to Wednesday, July 7, 2010 at 9:00 A.M. (The Board shifted all meetings by one day due to holiday.)
September 6, 2010 Public Input & General Business Meeting at 6:00 p.m.	Labor Day Holiday	Public Input & General Business Meeting changed to Tuesday, September 7, 2010 at 6:00 P.M.
September 7, 2010 Business Meeting	Labor Day Holiday	Business Meeting changed to Wednesday, September 8, 2010 at 9:00 A.M. (The Board shifted all meetings by one day due to holiday.)
October 11, 2010 Public Hearing at 6:30 p.m.	Columbus Day Holiday	Public Hearing to Tuesday, October 12, 2009 at 6:30 p.m.
November 2, 2010 Business Meeting at 9:00 a.m.	Election Day	Business Meeting changed to Wednesday, November 3, 2010 at 9:00 a.m. (The Board shifted all meetings by one day due to holiday.)

Chairman York moved that the Board of Supervisors approve the adjustments to the Board of Supervisors' schedule for 2010 as shown above in Table 1.
(Seconded by Supervisor Waters. The motion passed 9-0.)

1. Briefing Item – Land Development Applications for January 11, 2010 Public Hearing
John Merrithew, Department of Planning, briefed the Board of Supervisors on the land use applications scheduled for the January 11, 2010 Public Hearing.
Staff Contact: John Merrithew, Department of Planning

2. LEGISLATIVE 2010 UPDATE

John Sandy, Office of the County Administrator, provided the Board an update on the 2010 Legislative Packet.

Chairman York requested that Mr. Sandy provide the full 2010 Legislative Package adopted by the Board of Supervisors to the County's delegates and senators.

Staff Contacts: Jeff Gore and Roger Wiley, Hefty and Wiley, LLC; and John Sandy, Deputy County Administrator

3. APPOINTMENTS

a. CONFIRMATIONS

The Board of Supervisors moved to confirm the following:

Disability Services Board
Hugh Scott

b. NOMINATIONS

Advisory Commission on Youth
Supervisor McGimsey nominated Dusty S. Perrelli.

Affordable Dwelling Unit Advisory Board
Supervisor Kurtz nominated Shaun V. Kelly.

Commission on Aging
Supervisor Burton nominated Eleanor Fall.

Disability Services Board
Supervisor Miller nominated Anjan Chimaladine.

Fire and Rescue Commission
Supervisor Burk nominated Ian K. Buchanan.
Supervisor Burk nominated J.B. Anderson.
Supervisor Waters nominated Melvin Burn.
Supervisor McGimsey nominated Mickey Buchanan.
Supervisor Burton nominated Bill Wilkinson.

Housing Advisory Board
Supervisor Burk nominated Sharon O. Steele.

Loudoun Health Council
Chairman York nominated Mary P. Ganger (healthcare professional).

Supervisor Miller nominated Dr. Yahya Alvi (physician representative).
Supervisor Miller nominated Elyse Galik (business community representative.)

Route 28 Tax District Advisory Board

Supervisor McGimsey nominated Mike Huber (landowner's representative).

Leesburg Airport Commission

Supervisor Burk nominated John Corcoran.

Staff Contact: Rosey Rai, Office of the County Administrator

4. ADMINISTRATIVE ITEMS REPORT /JANUARY 5, 2010

Supervisor Burk moved that the Board of Supervisors approve the Administrative Items Report of January 5, 2010. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

a. BUDGET ADJUSTMENTS

The Board of Supervisors moved to (1) approve the FY 10 budget adjustments as set out in the January 5, 2010 Administrative Items Report, (2) recognize an increase in the amount of \$209,219 in the General Fund for FY 10, and (3) make an increase in FY 10 appropriations of \$209,219 in the General Fund.

BA-104601, BA-104667, BA-104678, BA-1044688, and BA-104690.

Staff Contact: Luz Cofresí-Howe, Budget Officer, Department of Management and Financial Services

b. BOARD OF SUPERVISORS' MINUTES

The Board of Supervisors moved to approve the November 30, 2009 Public Input Minutes; the December 7, 2009 Public Hearing Minutes; and the December 10, 2009 Special Minutes.

The following Committee Summaries are also included in the Board's packet:

Public Safety and Human Services Committee	October 28, 2009
Economic Development Committee	November 17, 2009
Economic Development Committee	December 17, 2009
Transportation/Land Use Committee	December 16, 2009

Staff Contact: Jeanette Gilbert, Office of the County Administrator

c. DEEDS FOR APPROVAL

The Board of Supervisors moved to approve the following Deeds for Approval:

- a) SBRD-2008-0063 – Courtland Rural Village Section 5, Phase 5A
- b) ESMT-2008-0017 – Bolington [Lough et al.]
- c) ESMT-2008-0017 – Bolington [Collver et al.]
- d) ESMT-2008-0017 – Bolington [Hiser et al.]
- e) ESMT-2008-0017 – Bolington [Levathes]
- f) ESMT-2008-0017 – Bolington [Vest et al.]
- g) ESMT-2008-0017 – Bolington [Catania]
- h) ESMT-2008-0017 – Bolington [Gustafson et al.]
- i) ESMT-2008-0017 – Bolington [David Sherwood Coley, III
Revocable Trust et al.]
- j) ESMT-2008-0017 – Bolington [McMahill et al.]; and
- k) ESMT-2008-0017 – Bolington [Lamoureux et al.]

Staff Contacts: William M. Himel, Department of Building and Development; and Ronald J. Brown, Assistant County Attorney

d. AUTHORIZATION FOR THE COUNTY ADMINISTRATOR TO EXECUTE THE STANDARD PROJECT ADMINISTRATION AGREEMENTS WITH VDOT

The Board of Supervisors moved to authorize the County Administrator to execute the Standard Project Administration Agreements between the County of Loudoun and the Virginia Department of Transportation to locally administer the following projects: Waxpool Road Improvements and Riverside Parkway Improvements.

Staff Contact: Terrie Laycock, Director, Office of Transportation Services

e. SUPPLEMENTAL FUNDING FOR SIDEWALK PROJECTS AT RIVERBANK STREET AND PALISADE PARKWAY

The Board of Supervisors moved to authorize the use of up to \$28,800 from the Local Gasoline Tax Bicycle and Pedestrian Contingency fund to supplement existing funding of \$215,000 for the Riverbank Street sidewalk project.

The Board of Supervisors further moved to authorize the use of up to \$59,400 from the cash proffer reimbursement from ZMAP 1986-0013/Potomac Lakes Proffer C.7.D to supplement existing funding of \$90,000 for the Palisade Parkway sidewalk project.

The Board of Supervisors further moved that staff be directed to process budget adjustment BA #104691 and BA #104692 in recognition of those funds.

Staff Contact: Terrie Laycock, Director, Office of Transportation Services

f. REALLOCATION OF CMAQ FUNDING TO SUPPORT THE PARK-AND-RIDE LEASE IN BROADLANDS SOUTH FOR THE TYSONS EXPRESS SERVICE

The Board of Supervisors moved to request that NVTa reallocate \$400,000 in CMAQ funds from the Eastern Loudoun Park-and-Ride Study to the lease of Park-and-Ride spaces at the Broadlands South Park-and-Ride lot, in support of the Tysons Express Service.

Staff Contact: Nancy Gourley, Office of Transportation Services

g. TIMELINE EXTENSION FOR CMPT 2009-0006, LOUDOUN WATER – WATER STORAGE FACILITY

The Board of Supervisors moved to approve a timeline extension to March 11, 2010, for Planning Commission action on CMPT 2009-0006, Loudoun Water – Water Storage Facility.

Staff Contact: Marchant Schneider, Department of Planning

h. SECONDARY ROAD ADDITION – AMBERLEIGH, PHASE 1

The Board of Supervisors moved to adopt the resolution as presented.

Staff Contact: Rick Karle, Department of Building and Development

i. SECONDARY ROAD ADDITION – GLOUCESTER PARKWAY 4C AND MARBLEHEAD DRIVE

The Board of Supervisors moved to adopt the resolution as presented.

Staff Contact: Rick Karle, Department of Building and Development

j. SECONDARY ROAD ADDITION – BRAMBLETON – REGAL WOOD DRIVE/LEGACY PARK DRIVE/LANDBAY 2, PHASE 1

The Board of Supervisors moved to adopt the resolution as presented.

Staff Contact: Rick Karle, Department of Building and Development

5. APPOINTMENT OF NEW RURAL ECONOMIC DEVELOPMENT COUNCIL MEMBERS FOR TERMS BEGINNING JANUARY 2010

Supervisor Burk moved that the Board of Supervisors approve the slate of nominees for appointment to the Loudoun County Rural Economic Development Council as shown in Attachment 1. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contacts: Melissa Piper Nelson and Gary Hornbaker, Department of Economic Development

6. ENDORSEMENT OF VDOT'S PROPOSED DESIGN FOR THE WIDENING OF PACIFIC BOULEVARD BETWEEN STERLING BOULEVARD AND RELOCATION DRIVE

Supervisor Burk moved that the Board of Supervisors endorse VDOT's proposed design for the widening of Pacific Boulevard from two to four lanes between Sterling Boulevard and Relocation Drive. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contact: Dale Castellow, Office of Transportation Services

7. ENDORSEMENT OF VDOT'S PROPOSED DESIGN OF THE GLEEDSVILLE ROAD BRIDGE REPLACEMENT

Supervisor Burk moved that the Board of Supervisors endorse the design alternative developed by VDOT for the replacement bridge on Gleedsville Road.

Supervisor Burk further moved that VDOT make every effort to minimize the impact to existing trees and vegetation located within the project limits. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contact: Dale Castellow, Office of Transportation Services

8. RECOVERY ZONE FACILITY BONDS – APPROVAL OF ISSUANCE OF INDUSTRIAL DEVELOPMENT AUTHORITY BONDS FOR LEESBURG VETERINARY HOSPITAL

Supervisor Burk moved that the Board of Supervisors adopt the Draft Resolution as provided in Attachment 1, approving the issuance of a Recovery Zone Facility Bond through the Industrial Development Authority of Loudoun County for Savvy Enterprises, LLC in an amount up to \$1.479 million. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contact: Danny Davis, Office of the County Administrator

9. BOARD MEMBER INITIATIVE: REVISION OF COUNTY'S EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

Supervisor Miller moved that the Board of Supervisors direct staff to update the County Equal Employment Opportunity to state Loudoun County will not discriminate on the basis of sexual orientation or gender identity.

Supervisor Miller further moved that the Board of Supervisors direct staff to revise other areas of the Human Resources Policy Handbook to comply with the updated non-discrimination policy. (Seconded by Supervisor McGimsey.)

Supervisor Delgaudio moved a substitute motion that the Board of Supervisors direct staff to prepare an item for a public hearing on this issue. (Seconded by Supervisor Waters. The motion FAILED 2-6-1, Supervisors Buckley, Burk, Burton, Kurtz, McGimsey, and Miller voted no and Chairman York abstained.)

Supervisor Waters moved a substitute motion that the Board of Supervisors forward a letter to the attorney general asking whether or not Loudoun County has the legal authority to make this change to add sexual orientation and gender identify to the Equal Employment Opportunity statement . (Seconded by Supervisor Delgaudio. The motion FAILED 2-6-1, Supervisors Buckley, Burk, Burton, Kurtz, McGimsey and Miller voted no and Chairman York abstained.)

Supervisor Miller's original motion passed 6-2-1, Supervisors Delgaudio and Waters voted no and Chairman York abstained.

Staff Contact: Valerie Suzdak, Staff Aide to Supervisor Miller

10. BOARD MEMBER INITIATIVE: REVISION OF COUNTY FACILITY USE POLICY FOR POLITICAL PARTIES

Supervisor Miller moved that the Board of Supervisors direct staff to update the Facility Use Policy so that all political parties, as defined under State Code 24.2-101, are allowed to meet in County facilities.

Supervisor Miller further moved that the chair person of the two party committees be guaranteed one night per month in this room, subject to only pre-emption by the Board of Supervisors. (Seconded by Supervisor Waters.)

Supervisor Miller accepted Chairman York's friendly amendment that staff in looking at the policies will ensure access to individuals and organizations that do not necessarily meet the definition of state political party with the guarantee extended to the two party committees not be delayed.

Supervisor Waters moved an amendment to the motion under Overall Policy Guidelines that the Board of Supervisors include the following changes noted in bold and by strikethrough:

Overall Policy Guidelines

"3. The primary use of County facilities is for the conduct of County government business. Consequently, groups that are a part of or associated with Loudoun County Government have priority use of most facility space. This includes: the Board of Supervisors, formal and standing Subcommittees of the Board of Supervisors, individual members of the Board of Supervisors, Planning Commission, County Administrator, boards or commissions appointed by the Board of Supervisors and County staff for purposes of County business. ~~Use of public areas by any of the above County entities has priority (in the order listed) over use by a nonprofit citizen group.~~ The above County entities have scheduling priority, but may not pre-empt already scheduled events.

"4. ~~Nonprofit~~ Citizen groups ~~and state political parties~~ that are located in or do business in Loudoun County are permitted to use public areas in County facilities and County grounds to the extent permitted by law. Such use must not interfere with County government functions, operations and business. **Once a group has confirmation of using a particular space, no other user or entity, including those listed in #3, may pre-empt useage of this space, subject to the emergency use by the Board of Supervisors.**"

~~"7. Notwithstanding Overall Policy Guideline #3, the Chair of a state political party operating in Loudoun County is permitted to request~~

~~use of the Board of Supervisors' meeting room one day a month for a meeting and once scheduled, no other user or entity may pre-empt useage of the space."~~

(Seconded by Supervisor Miller. The amendment passed 8-1, Supervisor Burk \voted no.)

Supervisor Delgaudio moved a friendly amended that the Board of Supervisors direct staff to prepare a schedule of across the board changes to schedule use of the Board Room or any County facility for nonprofit and political use and come back to the Board with said schedule. (Seconded by Supervisor Kurtz. The motion FAILED 3-6, Supervisors Buckley, Burton, Miller, McGimsey, Waters and York voted no.)

Supervisor Miller's motion, as amended, passed 9-0.

Staff Contact: Valerie Suzdak, Staff Aide to Supervisor Miller

11. BOARD MEMBER INITIATIVE: STRATEGIC PLAN TIMELINE CHANGE
The Board deferred this item to the January 20, 2010 Business Meeting.

(This item was reconsidered later in the meeting.)

Supervisor Miller moved that the Board of Supervisors suspend the rules.
(Seconded by Supervisor McGimsey. The motion passed 7-2, Supervisors Burk and Waters voted no.)

Supervisor Miller moved that the Board of Supervisors direct staff to review and begin work on the Zoning Ordinance Amendment for Large Retail Establishments so that this ZOAM be brought before the Planning Commission early in the second quarter of 2010 and the Planning Commission and Board Public Hearing be advertised jointly, with the intention to complete the Board review and adoption of this amendment before the August 2010 recess. (Seconded by Supervisor McGimsey.)

Supervisor Waters moved a substitute motion that the Board of Supervisors forward this item to the next Board Business Meeting. (Seconded by Chairman York. The motion FAILED 4-5, Supervisors Burk, Burton, Kurtz, McGimsey, and Miller voted no.)

Supervisor Miller's original motion FAILED 4-5, Supervisors Buckley, Burk, Delgaudio, Waters and York voted no.

Staff Contact: Valerie Suzdak, Staff Aide to Supervisor Miller

12. BOARD MEMBER INITIATIVE: REAL PROPERTY TAX ABATEMENT REQUEST

Supervisor Burk moved that the Board of Supervisors approve an abatement of the tax levies on the building of Mr. & Mrs. Hanvey that was destroyed by a fire on June 10, 2009, as provided by 58.1-3222 of the Code of Virginia.

Supervisor Burk further moved that an item be added to the agenda of the Finance/Government Services and Operations Committee for a discussion of general policy and standard procedures for future requests under this Code section. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)
Staff Contact: Nancy Fey, Staff Aide to Supervisor Burton

13a. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE
REPORT / FY 2009 FINANCIAL CONDITION AND FUND BALANCE

Supervisor Burton moved that the Board of Supervisors approve the recommendation by the Finance/Government Services and Operations Committee to use the unrestricted, unreserved FY 2009 fund balance of \$18,736,250 for any budget shortfalls occurring in any fund in FY 2010.

Supervisor Burton further moved that any remaining unrestricted, unreserved fund balance after application to FY 2010 be carried over to FY 2011 for later usage by the Board of Supervisors.

Supervisor Burton further moved that any additional unrestricted, unreserved fund balances occurring during FY 2010 in any funds first be applied to any budget shortfalls in FY 2010 and then be carried over into FY 2011 for later usage by the Board of Supervisors. (Seconded by Supervisor Waters. The motion passed 9-0.)
Staff Contacts: Mark Adams, Director, and Mark Withrow, Department of Management and Financial Services

13b. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE
REPORT / FY 10 MID-YEAR REDUCTION RECOMMENDATIONS

Supervisor Burton moved that the Board of Supervisors approve the recommendation by the Finance/Government Services and Operations Committee to enact expenditure reductions in the Childcare Program at the Douglass Community Center of the Department of Parks, Recreation and Community Services eliminating 3.60 FTE.

Supervisor Burton further moved that the Board of Supervisors approve BA #104575 to enact these reductions. (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contacts: Mark Adams, Director; Luz Cofresí-Howe, Budget Officer; and Ben Mays, Deputy Chief Financial Officer, Department of Management and Financial Services

13c. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT / ONLINE ACCESS TO LAND RECORDS/CLERK OF THE CIRCUIT COURT SYSTEMS

Supervisor Burk moved that the Board of Supervisors approve the recommendation by the Finance/Government Services and Operations Committee to approve an addendum to the Board's October 16, 2000 policy regarding access to the County's real estate assessment database to allow subscribers to the Clerk of the Circuit Court's land records remote access system the ability to access the County's real estate assessment information by a name inquiry. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contacts: Gary Clemens, Clerk of the Circuit Court; and Todd Kaufman, County Assessor

14a. TRANSPORTATION/LAND USE COMMITTEE REPORT / PERMANENT PUMP AND HAUL REQUEST/KAUR PROPERTY

Supervisor Burk moved that the Board of Supervisors approve the recommendation by the Transportation/Land Use Committee that the County enter into a contractual agreement with Karam Kaur and the Virginia Department of Health to allow permanent pump and haul services to serve only the existing single-family dwelling located at 24269 Gum Spring Road in the Village of Arcola and that all costs associated with the pump and haul operation be borne by Karam Kaur. The owner shall also be responsible for insuring that the pump and haul provider submits all required reports, records, and receipts through Loudoun County Health Department's on-line tracking system.

Supervisor Burk further moved that as a condition of the approval of this permanent pump and haul application the applicant/owner be required to connect to public sewer when it becomes available and is within 300 feet of the property. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contacts: Joe Lock, Supervisor, and Douglas Hubbard, Loudoun County Health Department

14b. TRANSPORTATION/LAND USE COMMITTEE REPORT / PERMANENT PUMP AND HAUL REQUEST/FIRST BAPTIST CHURCH WATSON PROPERTY

Supervisor Burk moved that the Board of Supervisors approve the recommendation by the Transportation/Land Use Committee that the County enter into a contractual agreement with First Baptist Church Watson and the Virginia Department of Health to allow permanent pump and haul services to serve only the existing Church located at 40931 Red Hill Road and that all costs associated with the pump and haul operation be borne by First Baptist Church Watson. The owner shall also be responsible for insuring that the pump and haul provider submits all required reports, records, and receipts through Loudoun County Health Department's on-line tracking system.

Supervisor Burk further moved that as a condition of the approval of this permanent pump and haul application the applicant/owner be required to connect to public sewer when it becomes available and is within 300 feet of the property. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)
Staff Contacts: Joe Lock, Supervisor, and Douglas Hubbard, Loudoun County Health Department

14c. TRANSPORTATION/LAND USE COMMITTEE REPORT / PERMANENT PUMP AND HAUL REQUEST/MC DONOUGH PROPERTY

Supervisor Burk moved that the Board of Supervisors approve the recommendation by the Transportation/Land Use Committee that the County enter into a contractual agreement with Mr. McDonough and the Virginia Department of Health to allow permanent pump and haul services to serve only the existing structures (24307 and 24297 Gum Spring Road) in the Village of Arcola and that all costs associated with the pump and haul operation be borne by Mr. McDonough. The owner shall also be responsible for insuring that the pump and haul provider submits all required reports, records, and receipts through Loudoun County Health Department's on-line tracking system.

Supervisor Burk further moved that as a condition of the approval of this permanent pump and haul application the applicant/owner be required to connect to public sewer when it becomes available and is within 300 feet of the property. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)
Staff Contacts: Joe Lock, Supervisor, and Douglas Hubbard, Loudoun County Health Department

14d. TRANSPORTATION/LAND USE COMMITTEE REPORT / PROPOSED PEDESTRIAN IMPROVEMENTS ON HARDWOOD FOREST DRIVE

Supervisor Burk moved that the Board of Supervisors direct staff to advertise a public hearing on February 8, 2010 to consider flexing Great Falls Chase Residential Proffer C.l.g. (Proffer Sequence No. 96012454), to be utilized for the design and construction of pedestrian improvements on Hardwood Forest Drive in the Great Falls Chase community. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contact: Terrie Laycock, Director, Office of Transportation Services

15a. PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE REPORT / NAME CHANGE: "DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION, SUBSTANCE ABUSE SERVICES" TO "DEPARTMENT OF MENTAL HEALTH, SUBSTANCE ABUSE AND DEVELOPMENTAL SERVICES"

Supervisor Burk moved that the Board of Supervisors approve changing the name of the "Department of Mental Health Mental Retardation and Substance Abuse Services" to the "Department of Mental Health Substance Abuse and

Developmental Services.” (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)
Staff Contact: Tom Maynard, Executive Director, Department of Mental Health, Mental Retardation and Substance Abuse Services

15b. PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE REPORT / JOINING THE COMMUNITY ACTION AGENCY (CAA) REGIONAL CONSORTIUM

Supervisor Burk moved that the Board of Supervisors approve the recommendation by the Public Safety/Human Services Committee to rescind the designation of the Department of Family Services as the Community Action Agency and designate the regional CAA as the Community Action Agency for Loudoun County, as specified in the Resolution. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)
Staff Contact: Robert Chirles, Director, Department of Family Services

16a. ECONOMIC DEVELOPMENT COMMITTEE REPORT / RESTRICTED TRANSIT OCCUPANCY TAX (TOT) – FY 11 FISCAL GUIDANCE

Supervisor Waters moved that Board of Supervisors endorse the recommendation by the Economic Development Committee to direct the County Administrator to review existing uses of the Restricted TOT and make recommendations in the FY 11 Fiscal Plan to focus those funds on activities that generate overnight stays per the Strategic Tourism Growth Initiatives. (Seconded by Chairman York.)

Supervisor Burton moved a substitute motion to delete the following language from Supervisor Waters' motion: “to focus those funds on activities that generate overnight stays per the Strategic Tourism Growth Initiatives.” (Seconded by Supervisor Miller. The motion FAILED 4-5, Supervisors Buckley, Burk, Delgaudio, Waters and York voted no.)

Supervisor Waters' motion passed 5-4, Supervisors Burton, Kurtz, Miller and McGimsey voted no.

Staff Contacts: Danny Davis, Office of the County Administrator; Cheryl Kilday, Loudoun Convention and Visitors Association; and Diane Ryburn, Director, Department of Parks, Recreation and Community Services

16b. ECONOMIC DEVELOPMENT COMMITTEE REPORT / SUPPORT FOR GMU CAMPUS MASTER PLAN FUNDING – ADDITION TO LEGISLATIVE PACKAGE

Supervisor Burk moved that the Board of Supervisors endorse the recommendation by the Economic Development Committee to support George Mason University's request to the General Assembly for \$1 million in master planning funding for the Loudoun campus and that the Board add its support of this item to the 2010 legislative package. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contacts: Dorri Morin, Department of Economic Development; and Danny Davis, Office of the County Administrator

17. END OF LOCAL DECLARATION OF EMERGENCY: CROOKED BRIDGE LANE

Supervisor Burk moved that the Board of Supervisors terminate the declaration of a local emergency as a result of the May 11 and 12, 2008 flooding event, as the ingress and egress issues into the Greenlea subdivision have been resolved with the construction of the new bridge. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contacts: Tim Hemstreet, County Administrator; John Sandy, Assistant County Administrator; and Chief Joseph Pozzo, Department of Fire, Rescue and Emergency Management

18. CMPT 2009-0013/HS-7, DULLES SOUTH HIGH SCHOOL AND ELEMENTARY SCHOOL SITE, GOSHEN ROAD ASSEMBLAGE

Supervisor Burk moved that the Board of Supervisors ratify the Planning Commission decision to approve CMPT 2009-0013, HS-7, Dulles South High School and Elementary School Site, Goshen Road Assemblage, subject to the Commission Permit Plat dated October 14, 2009, revised through November 30, 2009, and based on the Findings. (Consent Item) (Seconded by Supervisor Kurtz. The motion passed 9-0.)

Staff Contact: Marchant Schneider, Department of Planning

19. BOARD MEMBER INITIATIVE: TRANSMITTING THE RESULTS OF LOCAL HEALTH DEPARTMENT NON-CONVENTIONAL ON-SITE SEWAGE DISPOSAL INSPECTIONS

Supervisor Burton moved that the Board of Supervisors direct staff to transmit the inspection and compliance results for non-conventional on-site sewage disposal systems of Chapter 1067 of the Loudoun County Codified Ordinances and other information with the accompanying letter from the Chairman on behalf of the Board to the following: members of the Loudoun delegation to the Virginia General Assembly, Governor Kaine and his State Health Commissioner, the Governor-Elect McDonnell and his future State Health Commissioner, and the State Board of Health.

Supervisor Burton further moved that staff be authorized to make technical corrections to the results as more definitive information becomes available. (Seconded by Supervisor Burk. The motion passed 9-0.)

Chairman York noted that he would send a letter to the members of the Loudoun delegation to the Virginia General Assembly, Governor Kaine and his State Health Commissioner, the Governor-Elect McDonnell and his future State Health Commissioner, and the State Board of Health dealing specifically with the public safety information.

Staff Contact: Mary Bathory Vidaver, Staff Aide to Supervisor Burton

AMENDMENTS:

20. BOARD MEMBER INITIATIVE: REQUEST FOR INFORMATION FROM THE SCHOOL BOARD (Burton)

Supervisor Burton moved that the Board of Supervisors suspend the rules. (Seconded by Supervisor Delgaudio. The motion passed 8-0-1, Vice Chairman Buckley absent for the vote.)

Supervisor Burton moved that the Board of Supervisors send written communication to the Loudoun County School Board to request FTE and funding estimates regarding specific school youth programs and any other information from the schools that the Finance Committee needs to facilitate its review of the County youth programs.

Supervisor Burton further moved that the written communication to the School Board request the presence of appropriate school staff during the Finance Committee discussion on this topic. (Seconded by Supervisor Miller. The motion passed 9-0.)

- CLOSED SESSION

Vice Chairman Buckley moved that the Board of Supervisors recess this public meeting and enter into closed session. The authority for this closed session is Section 2.2.3711(A), Subsection (3), and the purpose of the closed session is discussion of the acquisition of real property for a public purpose where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. The subject of the closed session is the acquisition of school sites in the Ashburn area for a middle and a high school. (Seconded by Supervisor Waters. The motion passed 9-0.)

Vice Chairman Buckley moved that the Board of Supervisors adjourn the closed session and that the Board of Supervisors reconvene its public meeting and that the minutes of the public meeting should reflect that no formal action was taken in the closed session. (Seconded by Supervisor McGimsey. The motion passed 8-0-1, Supervisor Burk absent for the vote.)

Vice Chairman Buckley moved that the Board of Supervisors approve the following Resolution Certifying the Closed Session and that this be reflected in the Minutes of this public meeting. (Seconded by Supervisor McGimsey. The motion passed 8-0-1, Supervisor Burk absent for the vote.)

Resolution Certifying Closed Session

WHEREAS, the Loudoun County Board of Supervisors, this 5th day of January 2010, convened in closed session by an affirmative vote and in accordance with the provisions of the Virginia Freedom of Information Act:

Now, therefore, be it resolved that the Board of Supervisors does hereby certify that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed session to which this certification applies; and (2) only such public business matters as were identified in the motion by which the said closed session was convened were heard, discussed or considered by the Board of Supervisors.

Staff Contact: Jack Roberts, County Attorney